

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

Criminal Action No. 5:08-MJ-358

v.

ROBERT MURPHY,

Defendant.

ORDER FOR DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure and by leave of court endorsed hereon, the United States Attorney for the Northern District of New York hereby dismisses the Criminal Complaint against Robert Murphy, the defendant.

The reason(s) for this dismissal are (check one or more):

☐ Case transferred to another District

☐ Speedy Trial Act

☐ Defendant's cooperation

☐ Insufficient evidence at this time

☒ Other: Defendant completed pre-trial diversion

With respect to this dismissal, defendant (check one):

X Consents

Objects

Has not been consulted

This dismissal is without prejudice.

ANDREW T. BAXTER
United States Attorney



By: John M. Katko
Assistant U.S. Attorney
Bar Roll No.

Leave of court is granted for the filing of the foregoing dismissal.

Dated: October 5 , 2009
Syracuse, New York



Hon. Gustave J. DiBianco
United States Magistrate Judge